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4 *Marketing Group, Inc., Jeffrey Goldstein*
and Kenneth Adamson

Hon. Fred Van Sickle

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8 *Marketing Group, Inc., Jeffrey Goldstein*
and Kenneth Adamson
9

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
AT RICHLAND

12 James S. Gordon, Jr.,

Case No.: CV-04-5125-FVS

13 Plaintiff,

14 v.

[PROPOSED] ORDER AWARDING
SANCTIONS PURSUANT TO
FED. R. CIV. P. 11

15 Impulse Marketing Group, Inc.,
Jeffrey Goldstein, Phillip Huston,
16 and Kenneth Adamson,

17 Defendants.

18 Impulse Marketing Group, Inc.,

19 Third-Party Plaintiff,

20 v.

21 Bonnie F. Gordon, Jamila Gordon,
James Gordon, III, and Jonathan
22 Gordon,

23 Third-Party Defendants.

24 On November 8, 2006, Defendants Impulse Marketing Group, Inc.
25 (“Impulse”), Jeffrey Goldstein (“Goldstein”) and Kenneth Adamson (“Adamson”)
26

27 PROPOSED ORDER AWARDING SANCTIONS - 1

KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P.
485 MADISON AVENUE, 15TH FLOOR
NEW YORK, NEW YORK 10022
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(collectively, "Defendants") moved this Court for sanctions under Rule 11. The motion was duly noticed in compliance with the provisions of Rule 11(c)(1)(A). The Court has considered the papers submitted in support of and in opposition to the motion and the authorities cited by the parties. After due deliberation, the Court has reached the following conclusions:

1. The Plaintiff failed to comply with this Court's order denying his request to add new plaintiffs to the action, and amended the caption to add the d/b/a Gordonworks.com without leave of the Court.

2. The Plaintiff failed to comply with Fed. R. Civ. P. 15 by filing an unauthorized Second Amended Complaint without leave of this Court or consent of the opposing parties.

3. The appropriate sanction in this case is to strike the unauthorized Second Amended Complaint and to award fees in the amount of \$_____.

WHEREFORE, it is hereby ORDERED that:

a. The motion for sanctions is GRANTED.

b. The Second Amended Complaint is STRICKEN.

c. Robert J. Siegel, Esq. and Merkle, Siegel & Friedrichsen, P.C. pay to Defendants the sum of \$_____.

d. The amount set forth above must be paid no later than _____ days from notice of this order.

e. Failure to comply with this order will result in further sanctions.

DATED this ____ day of _____, 2006.

Hon. Fred Van Sickle
United States District Court Judge